

MINUTES
KENTUCKY BOARD OF PHARMACY
Frankfort, Kentucky
January 10, 2001

CALL TO ORDER:

A regular meeting of the Kentucky Board of Pharmacy was held at the Board office, 23 Millcreek Park, in Frankfort, Kentucky. President Conyers called the meeting to order at 8:56 a.m.

Members present: William A. Conyers III, Melinda C. Joyce, Georgina Kindall-Jones, Becky M. Cooper, Thomas S. Foster and Joe Carr. Staff present: Michael A. Moné, Executive Director; Jeffrey L. Osman, Pharmacy Inspections and Investigations Coordinator; Maxine Snively, Katie Busroe, and Philip C. Losch, Pharmacy and Drug Inspectors; Cheryl Lalonde-Mooney, Assistant Attorney General and Board Counsel, and Stacy Rankin, Executive Secretary. Guests: Danna Droz, Drug Control, Cabinet for Health Services; Ralph E. Bouvette, APSC; Mike Mayes, KphA; David Jaquith, CVS; Richard L. Ross, Winn-Dixie Pharmacies; Robert L. Barnett, Kentucky Pharmacists Association; James Goedde, Knoll Pharmaceutical, and Joy Gerk, University of Kentucky College of Pharmacy Student Intern. Melody Curtis, Court Reporter, recorded the meeting.

NEW BOARD MEMBER:

Mr. Joe Carr, who was appointed by Governor Patton to serve three-year terms beginning January 2001, affirmed the oath of office. Dr. Osman, Notary at Large, attested the swearing of the oath.

APPEARANCES: Paul Koenig. Mr. Koenig appeared to petition for reinstatement of his pharmacist's license. Mr. Koenig was placed under oath by Ms. Curtis, Court Reporter. Mr. Koenig gave a short overview of the cause leading to the loss of his pharmacist's license. Mr. Moné reviewed the recommendation of the Impaired Pharmacist Committee for reinstatement of license with conditions. Dr. Joyce moved to reinstate with the standard Agreed Order for impairment and stipulations as follows: probation for five years from the date of license reinstated; enter into a HELP contract; attendance at either the University of Utah School on Alcoholism and other Drug Dependencies or the Southeastern PRN Meeting within one year; attend AA/NA meetings no less than 4 times per week; engage in services of CDC/CDAC; no service as pharmacist-in-charge; no power-of-attorney; employment for no more than 40 hours per week or 80 hours in a two-week period; random observed urine/blood screens monthly with others as requested by the Board; notification to the Board of change in employment; Board president's approval of all employers; submission of a signed release for medical records; no dispensing of prescriptions to self or family members; utilize only on pharmacy for prescriptions; notification to the Board of all legend and nonlegend drugs taken; an annual self-evaluation; semi-annual inspections and quarterly audits at all locations of employment; Order on Reinstatement to be drafted and forwarded to Mr. Koenig for his signature and upon its return to be signed by President Conyers. The motion was seconded by Ms. Cooper and passed unanimously.

Billy Henderson. Mr. Henderson appeared to petition for reinstatement of his pharmacist's license. Mr. Henderson was placed under oath by Ms. Curtis, Court Reporter. Mr. Henderson gave a short overview of the cause leading to the loss of his pharmacist's license. Mr. Moné reviewed the recommendation of the Impaired Pharmacist Committee for reinstatement of license with conditions. Dr. Joyce moved to deny reinstate. The motion was seconded by Mr. Carr and passed unanimously.

BOARD REPORTS:

President. President Conyers addressed the meeting and welcomed everyone in attendance. President Conyers gave a brief update KY Pharmacy Recovery Network meeting on January 9, 2001 and announced that David Jacquith will be serving on the committee for 2001.

Executive Director. Mr. Moné reviewed and updated the exam information/materials for January 27, 2001 as well as an update on the pharmacist renewals. He also advised that the ruling from the Ethics Commission had been received regarding Board inspectors working at an in-state pharmacy and the opinion of the Commission was "no".

INTERAGENCY: Danna Droz, Drug Control, Cabinet for Health Services gave an update concerning the KASPER reports as well as FDA regulations concerning Midrin.

CURRENT/PENDING CASES:

Case No. 99-0094; and 00-0095. Ms. Cooper moved for acceptance and entry of the proposed Agreed Orders. Ms. Kindall-Jones seconded and the motion passed

unanimously.

CORRESPONDENCE:

David Yancy. The Board reviewed requesting permission to be PIC for St. Nicholas Clinic. After discussion, Dr. Joyce moved to approve the request. Mr. Carr seconded and the motion passed unanimously.

Steven F. Wright. The Board reviewed letter requesting permission to be PIC for Wal-Mart, Princeton, Kentucky per Agreed Order. After discussion, Dr. Foster moved to approve the request. Dr. Joyce seconded and the motion passed unanimously.

Ten-Broeck. The Board reviewed letter requesting exemption of 201 KAR 2:076. After discussion and instructions for Mr. Moné to communicate specific requirements Dr. Foster moved to approve the request. Mr. Carr seconded and the motion passed unanimously.

St. Joseph Hospital. The Board reviewed letter requesting waiver for an outpatient pharmacy license. After discussion and instructions for Mr. Moné to communicate Dr. Joyce moved to approve the request. Mr. Carr seconded and the motion passed unanimously.

Angels Community Clinic. The Board reviewed letter requesting exemptions to various issues. After discussion and instructions for Mr. Moné to request more information concerning request, the request has been tabled until necessary information is supplied.

NABP:

LEGISLATION:

There was general discussion regarding the current 2001 General Assembly.

CONTINUING EDUCATION:

Dr. Foster moved to accept the continuing education programs 01-001 through 01-002 as recommended. Mr. Carr seconded and the motion passed unanimously.

ADJOURNMENT:

On motion by Dr. Joyce, seconded by Ms. Jones and passed unanimously, President Conyers adjourned the meeting at 11:38 a.m. The next Board meeting is scheduled to begin at 9:00 a.m. on March 7, 2001, at W.T. Young Library, University of Kentucky Campus, Lexington, Kentucky.

Michael A. Moné, Executive Director

MAM:sr